

BEFORE THE
PUBLIC SERVICE COMMISSION OF WISCONSIN

Investigation of Area Code Relief for the
715 Area Code in Northern Wisconsin

Docket No. 5-TN-100

Investigation of Area Code Relief for the
920 Area Code

Docket No. 5-TN-106

**RESPONSE OF SPRINT COMMUNICATIONS COMPANY L.P. AND
T-MOBILE CENTRAL LLC**

Sprint Communications Company L.P. (“Sprint”) and T-Mobile Central LLC, d/b/a T-Mobile (“T-Mobile”), hereby jointly submit this response to the above referenced data request. Sprint and T-Mobile appreciate the additional opportunity provided by the Commission to once again highlight the fact that an implementation of all-services overlay for both Number Planning Area (“NPA”) 715 and 920 is least disruptive to consumers, more efficient for the industry to implement and would eliminate any of the concerns related to coincidental exhaust and relief of two adjacent area codes.

More specifically, Sprint and T-Mobile believe that all special concerns or technical challenges highlighted by the Commission in the May 16, 2008 notice, are non-issues with the Commission ordering all-services overlays for both NPAs. As previously noted in comments filed by Sprint and T-Mobile in the instant proceedings, the telecommunications industry for over the past decade has overwhelmingly and routinely advocated for the implementation of all-services

overlay form of area code relief across the country. In so doing, the telecommunications industry has highlighted both the number conservation and pro-competitive benefits of this form of area code relief.

More importantly, state commissions are choosing overlays as the preferred method of area code relief. State commissions have determined that all-services overlay *are the least disruptive to all consumers* when compared to geographic splits. Moreover, an overlay – unlike an geographic split – does not put the Commission in the position of choosing “winners and losers” as all consumers in these NPAs would be impacted uniformly.

Several participants in the public hearings have noted concern with the ten-digit dialing requirement associated with an all-services overlay. Many states have been faced with the same concern from consumers but nonetheless ordered all-services overlay form of relief since the benefits of this form of relief significantly outweigh any perceived inconvenience associated with the change in dialing pattern. In fact, as the record in this matter has noted – a significant number of individuals and businesses in NPA 715 and 920 regions agreed that the stated benefits of an all-services overlay outweighed the concerns related to ten-digit dialing with this form of area code relief – and therefore it was the least disruptive to implement versus a geographic split.

As to the Commission’s specific questions included in the Notice, please be advised that **there are no customer education and/or implementation issues related to the concurrent implementation of overlays in both area codes.**

However, if the Commission were to implement an overlay in one NPA and a geographic split in another, or decide to implement geographic splits in both NPAs, there are numerous concerns which have been articulated already in the record for these proceedings; in addition, those concerns have been provided to numerous public service commissions across the country which inevitably decided to implement all-services overlays in an overwhelming number of cases.

IMPLEMENTING AN AREA CODE SPLIT PRESENTS ADDITIONAL TECHNICAL BARRIERS THAT NEED TO BE CONSIDERED

As this Commission is aware, geographic splits are no longer common, and in the aftermath of local number portability (“LNP”), they have become particularly problematic. Significantly, wireline portability was merely beginning, and wireline to wireless portability *did not exist* in 1999, when the Commission last ordered an area code split. FCC rules requiring wireline to wireless portability did not become effective until late in 2003. And more recently, after the Commission’s *May 31, 2007 Order*, the FCC extended LNP obligations and numbering administration support obligations to encompass interconnected VoIP providers. *Telephone Number Requirements for IP-Enabled Services Providers*, WC Docket No. 07-243, *Report and Order, Declaratory Ruling, Order on Remand, and Notice of Proposed Rulemaking*, 22 F.C.C.R. 19531 (November 8, 2007). These new requirements further complicate the routing necessary to implement an area code split.

Moreover, the advent of intermodal number portability, when combined with growth in wireless penetration and the introduction of advanced communications services, results in a host of technical difficulties unique to splits that may cause consumer confusion and dissatisfaction. These problems are associated specifically with the permissive dialing period, when all services in the newly-defined NPA must be treated as if they have *two* 10-digit numbers. For example:

- *Number Portability – Affects Ability to Complete Calls* – Upon the initiation of the permissive dialing period, the Number Portability Assignment Center (“NPAC”) personnel must update the database (which houses all of the ported and pooled number data) to include both the old and the new NPA. Similarly, all carriers must update their operational support systems with the new and old NPA so that port requests will complete within the designated time frames. If the carriers’ systems are not in synch with the NPAC and each other, consumers’ calls will fail or be misdirected. This was a particular problem in the implementation of the recent splits in the 909/951 (California) and 505/575 area codes (New Mexico).
- *Caller ID – Telephone Number Confusion* – During the permissive dialing period, the called party’s Caller ID may indicate that they have received a call from a newly assigned area code number even though the person initiating the call is still using her current 715 or 920 number (or vice-versa). Although this issue does not technically affect the ability of the call to complete, it leads to confusion on the part of all. Once again, there is no such problem with an overlay since no customer is required to change their number(s).
- *Handset Issues – Customer Inconvenience and Call Failure* – Some wireless devices still require customer and carrier interaction to reprogram handsets with the new phone number. If customers do not take the necessary action, calls will not complete after the start of mandatory dialing until reprogrammed.

Each of these difficulties complicates the consumer's experience with area code splits and otherwise causes confusion, inconvenience and frustration. In contrast, these problems are not presented when implementing an all-services overlay, because the permissive dialing period for an overlay plan is a non-event, uncomplicated by the fact that customers are not changing their telephone numbers. Some of these technical challenges presented by permissive dialing were not foreseeable at the time the Commission made its last decision to implement a split in 1999. Since then it has become clear that new and innovative communications services can present previously unknown technical issues when implementing permissive dialing as part of an area code split.

New wireless service plans provide a good example of the technical problems inherent with a geographic split. Over the past two years some wireless carriers have begun to offer plans and services that allow customers to receive unlimited calls from five or more eligible (landline or wireless) telephone numbers chosen by the wireless customer. For such services to be billed correctly, the wireless carrier must be able to consistently track the identified originating numbers. It was recently discovered that if, during the permissive dialing period, one of the customer's chosen calling contact's numbers was changed to the new area code, and that calling contact then called the wireless customer, software limitations at the wireless switch would prevent the proper recognition of the call. Specifically, the incoming call would not be displayed with the "old" telephone number. As a result it would not be recognized as an eligible call; instead it would

be charged against the wireless customer's monthly limit, resulting in unexpected charges.

As the telecommunications industry continues to innovate and provide new products and services to its customers, new, previously unseen technical issues like this one will undoubtedly arise in implementing permissive dialing as a prelude to an area code split.

TWO STATES HAVE RECENTLY RESCINDED DECISIONS TO ADOPT AREA CODE SPLITS

Since the Commission comment cycle closed in this proceeding, two states reversed prior decisions to implement splits and ordered all-services overlays instead. These decisions are instructive because they illustrate how other state commissions have considered and dealt with the types of issues identified above.

Utah

In April 2000, the Utah Public Service Commission issued a Report and Order addressing anticipated exhaustion of the state's 801 area code, and adopted an area code split to provide numbering relief. Docket No. 99-999-05, *Order* (April 26, 2000). The Utah Commission also ordered various number conservation measures, and these measures were so successful that the Utah regulators were able to postpone the implementation of area code relief for more than seven years. By mid-2007 the Utah Commission found that its code conservation measures had run their course and that number exhaust in the 801 NPA would likely occur after the second quarter of 2008. With the record in the

case several years old, a group of carriers petitioned the Commission to revisit its prior decision to implement a split. The Commission held a public technical conference which included affected carriers and the Commission's Division of Public Utilities, and after seeking and reviewing additional written comments, the Commission determined that it should rescind its original decision and, instead, order the use of an area code overlay in Utah. *Order Selecting Area Code Overlay*, Docket No. 07-999-01 (July 12, 2007).

In reversing its earlier decision the Utah Commission cut straight to the point: “*Conditions have changed* from the time we issued our April 26, 2000, Report and Order and we have a greater understanding of the implications attendant to area code splits and overlays and have a different appreciation of the impacts each would have....” *July 12, 2007 Order* at 3 (emphasis added). The Utah Commission noted that while an area code split may seem preferable as a way to preserve seven-digit local calling, closer scrutiny showed that customers whose local calling area was divided would be required to dial certain local calls using 10 digits anyway. The Utah Commission also said that it had significantly underestimated the growth in cellular telecommunications. The Commission also noted that technological innovation and customer adoption of pre-programming options in modern handsets and other customer premises equipment have moved more and more customers from actually dialing telephone numbers; rather, many simply use a “speed dial” number to reach family and friends. The Utah Commission observed that an area code split would require much more device re-

programming than an overlay would, because in an overlay customers would only have to update any 7-digit numbers programmed in their phones. Finally, the Utah Commission noted how intermodal number portability has become relevant to any decision about relieving number exhaustion.

West Virginia

The West Virginia Public Service Commission is the most recent state commission to change course on solving area code exhaustion. Over the strong dissent of its Chairman, on January 29, 2008 the West Virginia Public Service Commission, in a 2-1 vote, determined that a geographic split should be implemented to relieve exhaustion in the 304 NPA. Exhaustion was expected to occur in the fourth quarter of 2008. After reviewing numerous petitions for reconsideration, the West Virginia Commission determined that technical complications attributable to the geographic split had not been fully addressed by previous filings in the matter. Those complications, which persuaded the West Virginia Commission to grant reconsideration and to reverse its order, included the following:

- problems with Caller ID;
- problems implementing number portability between wireline and wireless platforms;
- text messages being lost;
- home alarm systems being compromised; and
- misdirected calls during the permissive dialing period

NANPA Petition for Approval of a Relief Plan for the 304 Numbering Plan Area,
Case No. 00-0953-T-PC, *Order Granting Reconsideration*, (February 13, 2008).

On reconsideration the West Virginia Commission found that switching to an overlay would help alleviate each of these technical difficulties. minimizing disruption for consumers and businesses alike.

Sprint and T-Mobile once again urge the Commission to implement all-services overlay for both NPA 715 and 920. In doing so the Commission will be acting consistent with the recommendation of numerous participants at the public hearings across the regions, the overwhelming number of state commissions across the country who appreciate this least disruptive form of area code relief for consumers and the majority of the telecommunications industry. More importantly, the implementation of an all-services overlay in both NPAs in Wisconsin will ensure that the problems noted herein will be avoided.

Dated this 12th day of June, 2008.

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